

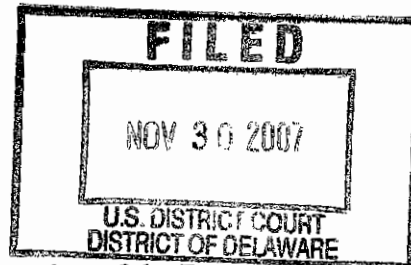
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
DELAWARE

ALONZO MORRIS JR.
Petitioner,

v.

Thomas Carroll, Warden and
Joseph R. Biden III, Attorney
for the State of Delaware
Respondents

Civ. Act. No.
07-194-GMS



BP scanned

Motion for Discovery, Expansion of the Record and Appointment of Counsel

Petitioners, requests this Honorable Court order respondent to provide discovery pursuant to Rule 6 (b). Petitioner asks that the following material be provided:

- A. Taped statements of Robert Berner, Rick Hughes, Matthew Esterson and Dale Berner, employees of Harvey's plumbing, given to Georgetown Police Officer Michael Barlow on November 3rd, 1999 one day prior to Officer Barlow's false testimony during the Preliminary Hearing on November 4th, 1999. Barlow testified that he didn't interview the employee's from Harvey's Plumbing and that these employee's identified defendant via photo line-up, which was false.
- B. Petitioner requests the respondent provide Officer Daniel Davis expert qualification as a forensic fingerprint expert and any information provided by the state prior to each trial in that regard.
- C. Petitioner requests Dr. Carl Maschauer's 1st and 2nd trial transcript.

Both of the aforementioned requests are necessary to support petitioners claims, providing this Court with evidence it may use in it's decision making process.

Petitioner asks that this Court appoint an attorney, for effective discovery under 18 U.S.C. section 3006A. This is vital because of the need to establish what was testified to before the Grand Jury in the case.

Petitioner has no access to adequate Law Library services. (see Ex. A and B) Simple requests, specific questions are given vague responses. Also, respondent has not provided any records to petitioner. By the terms of the Courts order the respondents are directed to attach to the answer certified copies of the state court records material to the questions raised in petitioners appeal. The respondents were given two extensions of time to

file certified state court records, and have yet to supply petitioner with the aforementioned information.

Petitioner asks that the record be expanded to include a second appendix, with petitioners reply memorandum. Will this Court supply a current docket sheet and all material relevant to this legal action.

Respectfully Submitted,

Alonzo Morris

11/26/07

Alonzo Morris #263971
M.H.U. 21 BU9
D.C.C. 1181 Paddock Road
Smyrna, DE 19977

TO: Alonzo Morris
MHU Bldg. 22
C-6-8

FROM: Maria Lyons
Staff Paralegal
MHU Law Library

DATE: 11-6-07

REF: See Attached

This is to inform you that your Law Library Request referenced above has been forwarded to the Main Law Library to be answered by an Inmate Paralegal. Your response will be forwarded to you as soon as it is received.

Ex A

RECEIVED
NOV 06 2007
LAW LIBRARY

GENERAL REQUEST FORM

BLD. # 22
Cell # W8

This request should be used to request general information, case law and/or photocopies from the Law Library. Case Law is issued from the Law Library on a 5 for 5 basis. Photocopy requests will be honored for Legal items only. Any items deemed non-legal will need to be forwarded to the Business Office along with a Pay-To for .25 per page.

May I have any specific information on
filing motions for expansion of record,
request for counsel and request for Discovery
in the Federal Court for Habeas Corpus 2254
I need the exact rules governing each and
specific instruction on the law governing each
application. Can I ask for summary judgment? If so how?
Also I need information on how to properly
request an evidentiary hearing (2254), there
are stringent standards for obtaining such a hearing
what are these standards and how can I meet
each requirement for the best possible result.

Name Alonso Nolasco S.B.I. 263971 Date: 11/5/07

Date Received: _____ Pay-to Log # _____

Date Sent _____ Staff Initials: _____

Staff Notes: _____

MEMORANDUM

To: Tim Martin – Main Law Library

From: M.H.U. Law Library

Date: 11-6-07

Re: Legal requests

Tim,

Please have your Inmate Paralegals pull the information below and forward accordingly.

Please Process

RECEIVED

NOV 07 2007

DCC Law Library

Please forward to: M.H.U. Law Library

Reference: Alonzo Morris # 263971 MHA 22 C-U-8

Response

B22

Thank You,

0

cc/Inmate File

Martin

Order # 17802

11/7/2007 1:36:37 PM

Ex. B

RECEIVED

NOV 09 2007

W. Brown

TM November 7, 2007

Mr. Morris:

As to expungement of records, see 11 Del. C. § 4371-4374. Please read § 4372 to be sure your case qualifies for expungement.

Pursuant to 18 U.S.C. § 3006A(a)(2)(B) (1994), whenever the United States magistrate or the court determines that the interest of justice so require, representation may be provided for any financially eligible person who is seeking relief under § 2254 of title 28. See *U.S. v. Roberson*, 194 F.3d 408, 415 n. 5 (3d Cir. 1999).

As to discovery, see Rule 6(d), Rules Governing § 2254 cases in the United States District Courts, 28 U.S.C. foll. § 2254 (1994).

As to evidentiary hearing, see Rule 8(a), Rules Governing § 2254 cases in the United States District Courts, 28 U.S.C. foll. § 2254 (1994); *Townsend v. Sain*, 372 U.S. 293 (1963); *Tomayo-Reyes*, 504 U.S. 1 (1992).

As to Summary Judgment, see Rule 56, Federal Rules of Civil Procedure.

RC

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BLD. # 22
Cell # W8

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Name Alongo Morris S.B.I. 263971 Date: 11/5/07

Date Received: _____ Pay-to Log # _____

Date Sent _____ Staff Initials: _____

Staff Notes: _____

